

(Caption of Case)

Application of Bush River Utilities, Incorporated for
Approval of New Schedule of Rates and Charges for
Sewerage Service provided to Residential,
Commercial and Wholesale Customers in All Served
Areas

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2004 - 259 - S

(Please type or print)

Submitted by: Charles H. CookSC Bar Number: 1367Address: 721 Olive StreetTelephone: 803-771-0555Columbia, SC 29205Fax: 803-771-8010

Other: _____

Email: ccook@elliottlaw.us

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☐ Other: _____**INDUSTRY (Check one)****NATURE OF ACTION (Check all that apply)**☐ Electric☐ Affidavit☒ Letter☐ Request☐ Electric/Gas☐ Agreement☐ Memorandum☐ Request for Certificatio☐ Electric/Telecommunications☐ Answer☐ Motion☐ Request for Investigatio☐ Electric/Water☐ Appellate Review☐ Objection☐ Resale Agreement☐ Electric/Water/Telecom.☐ Application☐ Petition☐ Resale Amendment☐ Electric/Water/Sewer☐ Brief☐ Petition for Reconsideration☐ Reservation Letter☐ Gas☐ Certificate☐ Petition for Rulemaking☐ Response☐ Railroad☐ Comments☐ Petition for Rule to Show Cause☐ Response to Discovery☒ Sewer☐ Complaint☐ Petition to Intervene☐ Return to Petition☐ Telecommunications☐ Consent Order☐ Petition to Intervene Out of Time☐ Stipulation☐ Transportation☐ Discovery☐ Prefiled Testimony☐ Subpoena☐ Water☐ Exhibit☐ Promotion☐ Tariff☐ Water/Sewer☐ Expedited Consideration☐ Proposed Order☒ Other: Perf. Bond & Fin.☐ Administrative Matter☐ Interconnection Agreement☐ Protest☐ Other:☐ Interconnection Amendment☐ Publisher's Affidavit☐ Late-Filed Exhibit☐ Report

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ORIGINAL

CHARLES H. COOK
OF COUNSEL

October 18, 2007

TELEPHONE (803) 771-0555
FACSIMILE (803) 771-8010

VIA HAND DELIVERY

Mr. Charles L. A. Terreni
Chief Clerk of the Commission
SC Public Service Commission
P.O. Drawer 11649
Columbia, SC 29211

RECEIVED
2007 OCT 18 PM 4:06
SC PUBLIC SERVICE
COMMISSION

RE: Bush River Utilities, Inc., Performance Bond in Favor of the
Public Service Commission, as Substituted for Existing Bond and
Letter of Credit on File

Dear Mr. Terreni:

Enclosed for filing on behalf of Bush River Utilities, Inc. please find the original and one (1) copy respectively of Performance Bond with Sureties (including required financial statements) of Bush River Utilities, Inc. dated October 18, 2007, to replace the existing Performance Bond and Letter of Credit currently on file with the Commission.

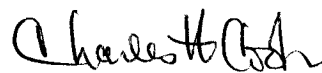
This filing is being made pursuant to Order No. 2005-83 dated February 25, 2005, in Docket No. 2004-259-S and, as required therein provides for the amount of the bond to be provided on behalf of Bush River Utilities, Inc. for the benefit of the Commission, totaling One Hundred Thousand and no/100ths Dollars (\$100,000.00).

Please acknowledge receipt of these documents by date-stamping the extra copy of the filing enclosed and returning it to our courier. (We are serving Ms. Nanette S. Edwards by copy with Certificate of Service attached.)

Should you have questions, please advise. Thank you.

Very truly yours,

ELLIOTT & ELLIOTT, PA



Charles H. Cook

CHC/mlw
Enclosures

cc: Nanette S. Edwards, Esquire, ORS

**PERFORMANCE BOND
FINANCIAL STATEMENT
(SEWER UTILITIES)**

RECEIVED
2007 OCT 18 PM 4:06
SC PUBLIC SERVICE
COMMISSION

KNOW ALL MEN BY THESE PRESENTS, that Bush River Utilities, Inc. being duly qualified to do business in the State of South Carolina, designated as “principal”, and that Bush River Utilities, Inc., designated as “sureties” is/are held and firmly bound unto the Public Service Commission of South Carolina, designated as “obligee”, in the penal sum of \$100,000.00, for the payment of which well and truly to be made, the principal binds itself, its successors and assigns, and the sureties bind themselves, their personal representatives, and their assigns, jointly and severally, firmly by these presents.

WHEREAS, in accordance with the provisions of S. C. Code Ann., §58-5-720 (1976, as amended), which requires the principal to furnish a bond with sufficient surety, to the satisfaction of the obligee, conditioned as provided in said §58-5-720, and

WHEREAS, the obligee has granted the principal a Certificate of Public Convenience and Necessity and approved a schedule of rates for sewer service in areas shown on operating maps filed with the obligee, and

WHEREAS, this bond, when approved by the obligee, conditioned as in said §58-5-720, is to cover any and all liability which may arise as a result of the principal failing to provide adequate and sufficient service within its service area as prescribed in §58-5-720, and

WHEREAS, the obligee, upon notice and hearing, shall have the right to declare all or any part of the bond forfeited upon a determination by the obligee that the principal shall have willfully failed to provide such service as prescribed above, without just cause or excuse, and that such failure has continued for an unreasonable length of time, and

WHEREAS, the liability under the terms of this bond is hereby extended so as to include any fines or penalties imposed or assessed by the obligee against the principal under the provisions of S.C. Code Ann. §58-5-710 (1976 as amended), and

WHEREAS, in the event that any judicial action or proceedings are initiated with respect to this bond, the parties hereby agree that the venue thereof shall be Richland County, State of South Carolina, and

WHEREAS, the sureties, as stockholders of the principal, undertake this obligation for and in consideration of the principal being able to continue to operate a sewer utility providing service to the public for compensation under the jurisdiction of the obligee, and

WHEREAS, the sureties, as shall file with this bond a Financial Statement showing personal assets, liabilities, and net worth; and shall file annually with the obligee a revised Financial Statement as long as the bond continues in effect, and

WHEREAS, this bond shall become effective on the date executed by the principal and sureties, and shall continue from year to year unless the obligations of the principal and sureties under this bond are expressly released by the obligee in writing, and


WHEREAS, the obligee upon notice and opportunity to the principal and sureties to be heard, may order that the face amount of this bond to be changed within the limits set forth in S. C. Code Ann., §58-5-720 (1976 as amended).

NOW THEREFORE, in testimony whereof, said principal has hereunto subscribed its name and said principal has caused this instrument to be signed by its duly authorized officers, and its corporate seal to hereunto affixed this 18th day of October, 2007; and that said sureties have caused this instrument to be signed this 18th day of October, 2007.

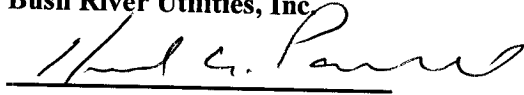
SURETIES:



Signature Keith G. Parnell

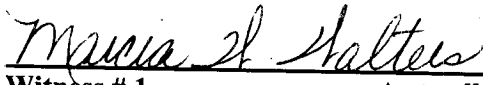


Signature Charles K. Parnell

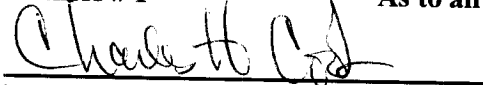
Bush River Utilities, Inc.


By: Keith G. Parnell

IN THE PRESENCE OF:



Witness # 1 As to all



Witness # 2 As to all

Title: President

ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

On October 18, 2007, Keith G. Parnell came before me personally, to me known, and who being by me duly sworn, did depose and state; that he is the President of Bush River Utilities, Inc., the Corporation which executed the foregoing instrument; that he knows the seal of said Corporation, that the seal affixed to the said instrument is such corporate seal; that it was so affixed by the order of the Board of Directors of said Corporation, and that he signed his name to said instrument by like order.



Keith G. Parnell

SWORN to before me this

18th day of October, 2007

Marcia H. Walters (L. S.)

Notary Public for South Carolina

My Commission Expires: 9-16-2015

(Affix seal if not South Carolina Notary Public)